

The Board has approved these minutes on 10.8.2020

MINUTES OF THE CONFERENCE CALL MEETING

Board of Alcohol and Drug Counseling
July 9, 2020

1. ROLL CALL

The meeting of the Board of Alcohol and Drug Counseling was called to order by Lori Cleveland, Chair, at 9:03 a.m., in the Lower Level Room B, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <http://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on 7.1.2020.

The following members answered roll call:

Members Present In-Person (1):

Victor Gehrig, Member

Members Present via Conference Call (4):

Lori Cleveland, Chair

Christine Chasek, Member

Amy Eigenberg, Vice Chair

Ian Lemmer, Secretary

Member Absent (3):

Jill Colegrove, Member

Natasha Robinson, Member

Mary Sneckenberg, Member

Staff Present (5):

Kris Chiles, Program Manager, Licensure Unit

Heidi Weiland, Health Licensing Coordinator, Licensure Unit

Mindy Lester, Assistant Attorney General

Anna Harrison, Compliance Monitor, Licensure Unit

2. ADOPTION OF AGENDA

MOTION: Gehrig moved, seconded by Lemmer, to approve the agenda. A voice vote was taken. Voting aye: Cleveland, Chasek, Eigenberg, Gehrig, Lemmer (5). Voting nay: None (0). Absent: Colegrove, Robinson, Sneckenberg (3). Motion carried.

9:06 a.m. Robinson entered the meeting via conference call

3. APPROVAL OF MINUTES (5.28.2020)

MOTION: Robinson moved, seconded by Gehrig, to approve the minutes of 5.28.2020. A voice vote was taken. Voting aye: Cleveland, Eigenberg, Gehrig, Lemmer, Robinson (5). Voting nay: None (0). Absent: Colegrove, Sneckenberg (2) Abstain: Chasek (1). Motion carried.

4. INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION **CLOSED SESSION**

MOTION: Robinson moved, seconded by Chasek, to enter into closed session at 9:11 a.m. to hear discussions of investigative/confidential nature, and for the prevention of needless injury to the reputations of the individuals. Cleveland repeated the motion purpose. A roll call vote was taken. Voting aye: Chasek, Cleveland, Eigenberg, Gehrig, Lemmer, Robinson (6). Voting nay: None (0). Absent: Colegrove, Sneckenberg (2). Motion carried.

After Board Member agreement, Cleveland stated the meeting is now in open session at 10:13 a.m.

10:13 a.m. Break
10:20 a.m. Return to open session

5. REVIEW, RECOMMENDATIONS AND REPORT OUT

OPEN SESSION: Applications, Summary of Mail Ballot Votes and Reinstatements

Conviction Reviews

Margaret Pederson: LADC Reciprocity Applicant

MOTION: Gehrig moved, seconded by Robinson, to recommend to issue the license with no terms and conditions. A roll call vote was taken. Voting aye: Chasek, Cleveland, Eigenberg, Gehrig, Lemmer, Robinson (6). Voting nay: None (0). Absent: Colegrove, Sneckenberg (2). Abstain: None (0). Motion carried.

Kenya Sanderson: PLADC Applicant

MOTION: Robinson moved, seconded by Gehrig, to recommend to defer for additional information. A roll call vote was taken. Voting aye: Chasek, Cleveland, Eigenberg, Gehrig, Lemmer, Robinson (6). Voting nay: None (0). Absent: Colegrove, Sneckenberg (2). Abstain: (0). Motion carried.

Greta Johnson: PLADC Applicant

MOTION: Chasek moved, seconded by Lemmer, to recommend deferral to review supporting documentation. A roll call vote was taken. Voting aye: Chasek, Cleveland, Eigenberg, Gehrig, Lemmer (5). Voting nay: None (0). Absent: Colegrove, Robinson, Sneckenberg (3). Abstain: (0). Motion carried.

10:23 a.m. Robinson exited the meeting
10:25 a.m. Robinson entered the meeting

Destiny Herod: PLADC Applicant

MOTION: Gehrig moved, seconded by Eigenberg, to recommend a 3 year probation, abstain from alcohol and controlled substances, random body fluid screens, comply with all treatment recommendations now and future, employer quarterly reporting, and standard probationary terms and conditions. A roll call vote was taken. Voting aye: Cleveland, Colegrove, Eigenberg, Gehrig, Robinson, Sneckenberg (6). Voting Nay: None (0). Absent: Chasek, Lemmer (2). Abstain: None (0). Motion carried.

6. UPDATES REPORTS

- a. COVID 19: <http://dhhs.ne.gov/Pages/COVID-19-Nebraska-Guidance-Documents.aspx>

Section 2:

The provisions of the UCA and its implementing regulations requiring that persons seeking credentialing successfully complete an examination prior to obtaining credentials are temporarily suspended solely in order to permit persons to obtain a provisional credential, which shall remain active pending examination results or until December 31, 2020, whichever is sooner, provided the person has completed all other requirements for licensure, including, but not limited to, completion of the required education or training program, and registers for the examination, but is unable to take the examination in the near future due to the lack of approved online testing or the limited availability of in-person testing slots;

Section 4:

The provisions of the UCA and its implementing regulations requiring that persons seeking credentials complete work or training with an onsite supervisor, with face-to-face or direct supervision, or under any type of practice agreement are temporarily deferred until December 31, 2020, solely in order to permit supervisors to provide remote supervision if the supervisor determines this is appropriate;

Section 10:

DHHS shall afford credential holders under the UCA the opportunity to request waivers of continuing competency as part of the renewal process as provided for in Neb. Rev. Stat. § 38-146(2); <http://dhhs.ne.gov/licensure/Documents/ContCompWaiverInfo.pdf>

The Department may waive continuing competency requirements, in whole or in part, when a credential holder submits documentation that "circumstances beyond his or her control have prevented completion of such requirements." Waivers may be considered for circumstances lasting longer than 30 consecutive days that DHHS determines are beyond the credential holder's control. Such circumstances can include, but are not limited to, a shortage of available continuing competency courses resulting from an officially declared state of emergency.

The Department will not enforce any limit on the number of continuing education hours obtained online or by home study for renewal or reinstatement of any type of license during the State Declaration of Public Health Emergency. The Department will be as flexible as possible for renewals that take place following the emergency. If licensees obtained online or home study CE hours during the emergency because in-person courses were not available, the Department will accept those CE hours even if the renewal (expiration date) for that profession takes place after the emergency has ended. Communication will be sent to licensees once any subsequent renewal period begins so that licensees know when the limits for online or home study CE are back in place.

b. 2020 Legislation: Session will resume 7.20.20 to 8.13.20, Chiles will report to the board if any bills for Alcohol and Drug will be presented

c. 172 NAC 15 and 16

Chiles reported Chapter 16 (fees) is being repealed as the fees are found in Chapter 2 (2008). Chapter 15 was approved by the Board of Health on 6.15.20. It is possible that we may have new regulations by the end of this year.

d. Develop a Jurisprudence Examination

Chiles advised that several boards have developed a jurisprudence examination as a term and condition of probation. It assists the licensees to reorient themselves with the statutes and regulations. Chiles suggested, if the Board was interested in pursuing the creation of a jurisprudence examination, to form an exam committee to develop questions, directly from the regulations and statutes, for the entire board to review. Committee volunteers: Cleveland, Chasek and Robinson. Chiles will set up a conference call meeting for this committee.

10:41 a.m. Robinson departed the meeting

e. Justice Behavioral Health Committee Report:

Robinson and Colegrove were not attending the meeting at this time, no new information to present.

f. International Certification & Reciprocity Consortium (IC&RC)
<https://internationalcredentialing.org>:

Robinson was not present to provide an update.

g. Reports: Disciplinary and Non-Disciplinary Actions, License Statistics, Examination Statistics, and Administrative Fees:

Report dates - January 1, 2020 to July 9, 2020:

Disciplinary and Non-Disciplinary Action Report: 7 licensees currently on probation.

Examination Results: 19 pass, 4 fail

Statistics: (number of individuals holding a current license)

LADC 766

PLADC 438

10:46 a.m. Cleveland departed the meeting

7. ADJOURNMENT

Next meeting will be 10.8.2020. No further business to discuss and Eigenberg declared the meeting adjourned at 10:47 a.m.

Submitted by:

Ian Lemmer, Secretary
Board of Alcohol and Drug Counseling

Summarized by:
Heidi Weiland, Health Licensing Coordinator, Licensure Unit